

FILED

1 LOUIS P. DELL, ESQ. (SBN 164830)  
2 LAW OFFICE OF LOUIS P. DELL  
3 715 South Victory Blvd.  
4 Burbank, CA 91502  
(818) 478-2822 (Office)  
(818) 436-5966 (Fax)  
e-mail: ldell@louisdell.com

2014 JAN 28 AM 10:53  
CLERK, U.S. DISTRICT COURT  
CENTRAL DIST. OF CALIF.  
LOS ANGELES

5 Attorney for Plaintiff,  
6 MARIANA GOSCHIN

7  
8  
9  
10 **IN THE UNITED STATES DISTRICT COURT FOR THE**  
11 **CENTRAL DISTRICT OF CALIFORNIA**

12 MARIANA GOSCHIN,  
13 Plaintiffs,

14 vs.

15 GCFS, INC., dba Greater  
16 California Financial Services,  
and DOES 1 to 10, inclusive,  
17 Defendants.

CASE NO.

**CV 14-640** STO (EX)

**COMPLAINT FOR DAMAGES and  
DEMAND FOR JURY TRIAL**

18  
19 Plaintiff, MARIANA GOSCHIN, by her attorney, states as follows:

20 **INTRODUCTION**

21 1. This is an action for damages, attorney fees and costs brought pursuant to the  
22 Fair Debt Collection Practices Act (FDCPA) [15 U.S.C. § 1692, *et seq.*] and the  
23 California Rosenthal Fair Debt Collection Practices Act ("Rosenthal Act") [Cal. Civ.  
24 Code § 1788, *et. seq.*] each of which prohibits debt collectors from engaging in  
25 abusive, deceptive and unfair practices.

26 2. The FDCPA was enacted "to eliminate abusive debt collection practices by  
27 debt collectors" in addition to ensuring that "those debt collectors who refrain from  
28 abusive practices are not competitively disadvantaged." 15 U.S.C. 1692(e).

1 Non-compliance with the regulations will subject the debt collector to liability. 15  
2 U.S.C. § 1692k.

3 3. The California Rosenthal Act was enacted in 1976 to ensure the integrity of  
4 our banking and credit industry. Cal. Civ. Code § 1788.1(a)(i). The Legislature found  
5 that unfair or deceptive debt collection practices undermine the public confidence  
6 which is essential to the continued functioning of the banking and credit system and  
7 sound extensions of credit to consumers.

8 4. Plaintiff, MARIANA GOSCHIN, through her attorney, brings this action to  
9 challenge the actions of GCFS, Inc., dba Greater California Financial Services, and  
10 other as yet unnamed defendants with regard to attempts by them to unlawfully and  
11 abusively collect a debt allegedly owed by the plaintiff, and this conduct caused the  
12 plaintiff to suffer damages.

13 5. Plaintiff makes these allegations on information and belief, with the  
14 exception of those allegations that pertain to a plaintiff, or to the plaintiff's counsel,  
15 which the plaintiff alleges on personal knowledge.

16 6. While many violations are described below with specificity, this complaint  
17 alleges violations of the statutes cited in their entirety.

18 7. Unless otherwise stated, the plaintiff alleges that any violations by the  
19 defendants were knowing and intentional, and that Defendant did not maintain  
20 procedures reasonably adapted to avoid any such violation.

21 8. For the purpose of this Complaint, unless otherwise indicated, "defendant"  
22 includes all agents, employees, officers, members, directors, heirs, successors,  
23 assigns, principals, trustees, sureties, subrogees, representatives and insurers of the  
24 defendant(s) named in this caption.

#### 25 JURISDICTION

26 9. This court has jurisdiction under the provisions of FDCPA, 15 U.S.C. §  
27 1692k(d), and supplemental jurisdiction over any state law claims asserted herein.

#### 28 PARTIES

1       10. Plaintiff MARIANA GOSCHIN is a natural person, and resides in the State  
2 of California, County of Los Angeles.

3       11. Plaintiff is a "consumer" within the meaning of 15 U.S.C. § 1692a(3) and is  
4 entitled to protection under the Fair Debt Collection Practices Act.

5       12. Plaintiff is a natural person from whom a debt collector sought to collect a  
6 consumer debt which was due and owing or alleged to be due and owing from  
7 Plaintiff, and is a "debtor" as that term is defined by California Civil Code §  
8 1788.2(h).

9       13. Defendant, GCFS, INC., dba Greater California Financial Services, is a  
10 California corporation with its principle place of business in Paso Robles, California.  
11 It is a debt collector within the definition of Title 15, United States Code, § 1692a.  
12 As a debt collector, this defendant's business includes the collection of any debts, or  
13 is one which regularly collects or attempts to collect, directly or indirectly, debts  
14 owed or due or asserted to be owed or due another.

15       14. At all times relevant, the defendants were attempting to collect or collecting a  
16 debt within the definition of Title 15, United States Code, § 1692a(5) which means  
17 any obligation or alleged obligation of a consumer to pay money arising out of a  
18 transaction in which the money, property, insurance, or services which are the subject  
19 of the transaction are primarily for personal, family, or household purposes, whether  
20 or not such obligation has been reduced to judgment.

21       15. Defendant, in the ordinary course of business, regularly, on behalf of itself, or  
22 others, engages in debt collection as that term is defined by California Civil Code §  
23 1788.2(b), and is therefore a debt collector as that term is defined by California Civil  
24 Code § 1788.2(c).

25       16. The alleged debt which the defendant attempted to collect from Plaintiff is a  
26 "consumer debt" within the meaning of Civil Code § 1788.2(f), in that it was incurred  
27 primarily for personal, family, or household purposes.

28       17. Plaintiff is ignorant of the true names and capacities of defendants sued

1 herein as DOES 1 to 10, inclusive, and therefore sues these defendants by such  
2 fictitious names. Plaintiff will amend this complaint to allege their true names and  
3 capacities when ascertained. Plaintiff is informed and believes and thereon alleges  
4 that each of the fictitiously named defendants is responsible in some manner to  
5 plaintiff as hereinafter alleged, and that plaintiff's damages as herein alleged were  
6 proximately caused by their conduct.

7 18. At all times material, each defendant was the agent, servant, and employee of  
8 the other defendant, and, at all such times, was acting pursuant to and within the  
9 course and scope of such relationships.

### 10 **FACTUAL ALLEGATIONS**

11 19. Around May 15, 2012, the plaintiff received a collection letter from the  
12 defendant which stated that it had been assigned an account formerly belonging to  
13 Wells Fargo Bank N.A. / Wells Fargo Card Services pertaining to the plaintiff's  
14 alleged delinquency of a credit card with an account number ending with 1480). The  
15 letter stated that the plaintiff owed \$12,943.14.

16 20. Plaintiff did not owe \$12,943.14. The collections action sought an incorrect  
17 and false amount of money from the plaintiff because plaintiff had no such credit card  
18 with that principal owing or that rate of interest. The collections action is a false  
19 representation of the amount of money owed on the alleged debt. (15 U.S.C. §  
20 1692e(2)).

21 21. Around July 30, 2012, the plaintiff received a collection letter from the  
22 defendant which stated that it had been assigned an account formerly belonging to  
23 Wells Fargo Bank N.A. / Wells Fargo Card Services pertaining to the plaintiff's  
24 alleged delinquency of a credit card with an account number ending with 1480). The  
25 letter stated that the plaintiff owed \$13,444.13.

26 22. Plaintiff did not owe \$12,943.14. The collections action sought an incorrect  
27 and false amount of money from the plaintiff because plaintiff had no such credit card  
28 with that principal owing or that rate of interest. The collections action is a false

1 representation of the amount of money owed on the alleged debt. (15 U.S.C. §  
2 1692e(2)).

3 23. Around August 15, 2012, the plaintiff received a collection letter from the  
4 defendant which stated that it had been assigned an account formerly belonging to  
5 Wells Fargo Bank N.A. / Wells Fargo Card Services pertaining to the plaintiff's  
6 alleged delinquency of a credit card with an account number ending with 1480). The  
7 letter stated that the plaintiff owed \$13,549.61.

8 24. Plaintiff did not owe \$12,943.14. The collections action sought an incorrect  
9 and false amount of money from the plaintiff because plaintiff had no such credit card  
10 with that principal owing or that rate of interest. The collections action is a false  
11 representation of the amount of money owed on the alleged debt. (15 U.S.C. §  
12 1692e(2)), used false or deceptive representations or means to collect or attempt to  
13 collect any debt (15 U.S.C. § 1692e(10)).

14 25. Around October 19, 2012, the plaintiff received a collection letter from the  
15 defendant which stated that it had been assigned an account formerly belonging to  
16 Wells Fargo Bank N.A. / Wells Fargo Card Services pertaining to the plaintiff's  
17 alleged delinquency of a credit card with an account number ending with 1280). The  
18 letter stated that the plaintiff owed \$13,549.61.

19 26. Plaintiff did not owe \$12,943.14. The collections action sought an incorrect  
20 and false amount of money from the plaintiff because plaintiff had no such credit card  
21 with that principal owing or that rate of interest. The collections action is a false  
22 representation of the amount of money owed on the alleged debt. (15 U.S.C. §  
23 1692e(2)).

24 27. On October 11, 2012, the defendant filed a collections action against the  
25 plaintiff titled *GCFS, Inc. v. Mariana Goschin*, Los Angeles Superior Court Case No.  
26 12E10100. The collections action alleged causes of action for breach of contract and  
27 common counts, and sought damages in the amount of \$10,029.49 plus interest at the  
28 rate of 23.99 percent per year from the date of February 28, 2011, attorney fees in the



1 amount of \$690.88, and costs of the suit. The collections action alleged that the  
2 plaintiff had fallen delinquent on a credit card agreement (account no. ending with  
3 1480) with Wells Fargo Bank N.A. / Wells Fargo Card Services. It alleged that the  
4 collection account had been assigned to Absolute Resolutions, Inc. who then assigned  
5 it to GCFS, Inc. and the defendant herein.

6 28. Once the plaintiff was served with the collections action, she hired an  
7 attorney who filed an answer, denying any liability, and conducted discovery to  
8 ascertain the merits of the collections action.

9 29. The collections action was voluntarily dismissed by the defendant on or about  
10 October 17, 2013 prior to trial. There was no settlement and no recovery on the part  
11 of the defendant.

12 30. The collections action violated the FDCPA as set forth in this complaint.

13 31. At the time the first collection letter was sent and the time the collections  
14 action was dismissed, and at all times throughout, the defendant had not been  
15 assigned the collection account and were not otherwise authorized to engage in debt  
16 collection thereon. The collection letters and collections action are each a false  
17 representation of the legal status of the debt (15 U.S.C. § 1692e(2)) which threatened  
18 to or took action which could not legally be taken by it (15 U.S.C. § 1692e(5)), used  
19 false or deceptive representations or means to collect or attempt to collect any debt  
20 (15 U.S.C. § 1692e(10)), and used unfair or unconscionable means to collect or  
21 attempt to collect any debt (15 U.S.C. § 1692f(1)).

22 32. Prior to the filing of the collections action, the applicable statute of  
23 limitations had already run on the collection account. The collections action is a false  
24 representation of the legal status of the debt (15 U.S.C. § 1692e(2)) which threatened  
25 to or took action which could not legally be taken by it (15 U.S.C. § 1692e(5)), used  
26 false or deceptive representations or means to collect or attempt to collect any debt  
27 (15 U.S.C. § 1692e(10)), and used unfair or unconscionable means to collect or  
28 attempt to collect any debt (15 U.S.C. § 1692f(1)).

1 33. Plaintiff did not owe the principal debt of \$10,029.49 nor interest of 23.00  
2 23.99 percent per year from the date of February 28, 2011. The collections action  
3 sought an incorrect and false amount of money from the plaintiff because plaintiff  
4 had no such credit card with that principal owing or that rate of interest. The  
5 collections action is a false representation of the amount of money owed on the  
6 alleged debt. (15 U.S.C. § 1692e(2)).

7 34. Each of the acts described above constitute continuing violations under the  
8 FDCPA and California Rosenthal Act which continued up and until the collections  
9 action was dismissed.

10 35. Each of the acts described above violated FDCPA, Title 15 U.S.C. §  
11 1692e(10) by using false or deceptive representations or means to collect or attempt  
12 to collect any debt.

13 36. Each of the acts described above violated FDCPA, Title 15 U.S.C. § 1692f(1)  
14 by using unfair or unconscionable means to collect or attempt to collect any debt.

15 37. Each of the acts described above violated FDCPA, Title 15 U.S.C. § 1692d  
16 which prohibits engaging in any conduct “the natural consequence of which is to  
17 harass, oppress, or abuse any person in connection with the collection of a debt.”

18 38. Because each of the above actions violated the language the FDCPA, the each  
19 of the actions also violated Cal. Civ. Code § 1788.17 as it incorporates the FDCPA.

20 39. As a direct and proximate result of all acts, omissions, and consequences  
21 thereof, each plaintiff has sustained statutory and actual damages including emotional  
22 distress and pecuniary loss, including:

23 a. Statutory damages.

24 b. Actual damages.

25 c. The plaintiff incurred attorney fees and court costs in defending herself  
26 in the unlawful collections action.

27 d. Humiliation, emotional distress, anguish, fright, horror, nervousness,  
28 grief, anxiety, worry, shock, humiliation, and shame.

1 e. Risk or actual damage to credit rating, the inability to obtain credit  
2 and/or inability to obtain credit at an interest rate or at terms he would have been able  
3 to obtain had the defendant not so acted. The plaintiff has abstained from applying  
4 for credit, and/or had adverse action taken on existing credit accounts and/or were  
5 denied credit.

6 40. Plaintiff is entitled to attorney fees and costs pursuant to 15 U.S.C. § 1692k  
7 and Cal. Civ. Code § 1788.30.

8 **FIRST CAUSE OF ACTION**  
9 **(FDCPA)**

10 41. Plaintiff repeats and realleges the allegations of paragraphs 1 through 40 of  
11 this complaint.

12 42. The foregoing acts and omissions constitute violations of the FDCPA,  
13 including but not limited to each and every one of the above-cited provisions of the  
14 FDCPA, 15 U.S.C. § 1692 et seq.

15 43. The defendant acts as described above were done intentionally with the  
16 purpose of coercing the plaintiff to pay the debt.

17 44. The defendant are liable to plaintiff for each and every violation described in  
18 this complaint under Federal law Title 15, United States Code § 1692k.

19 **SECOND CAUSE OF ACTION**  
20 **(California Rosenthal Act)**

21 45. Plaintiff repeats and realleges the allegations of paragraphs 1 through 44 of  
22 this complaint.

23 46. The foregoing acts and omissions constitute violations of the California  
24 Rosenthal Act, Cal. Civ. Code § 1788 *et. seq.*

25 47. The defendant acts as described above were done intentionally with the  
26 purpose of coercing the plaintiff to pay the debt.

27 48. The defendant are liable to plaintiff for each and every violation described in  
28 this complaint under Cal. Civ. Code § 1788.30.



**THIRD CAUSE OF ACTION**  
**(Malicious Prosecution)**

49. Plaintiff repeats and realleges the allegations of paragraphs 1 through 49 of this complaint.

50. At all times the defendant knew or had constructive knowledge that it had no authority to collect on the alleged debt. Furthermore, the defendant knew or had constructive knowledge that the statute of limitations had already passed by the time its lawsuit was filed.

51. The defendant intentionally filed the collections action with the intent to coerce the plaintiff into paying on an invalid debt.

52. Given that the defendant was aware of the invalidity of the debt, its actions were taken without probable cause, and with malice.

53. As a direct and proximate cause of the collections action, the plaintiff incurred attorney fees to defend herself, emotional distress, embarrassment, and other damages.

54. As additional damages against defendants, plaintiff alleges that defendants were guilty of malice, fraud, oppression as defined in California Civil Code § 3294, and plaintiff should recover, in addition to actual damages, damages to make an example of and to punish defendants. The amount of exemplary damages is not stated pursuant to California Code of Civil Procedure section 425.10.

WHEREFORE, each plaintiff prays judgment in his/her favor against each defendant as follows:

**FOR THE FIRST CAUSE OF ACTION:**

1. Actual damages sustained by each plaintiff;
2. Statutory damages of no less than \$1,000 for each violation;
3. Reasonable attorney fees;
4. Costs of suit; and
5. For such further relief as the court may deem just and equitable.

FOR THE SECOND CAUSE OF ACTION:

1. Actual damages sustained by each plaintiff;
2. Statutory damages of no less than \$1,000 for each plaintiff;
3. Reasonable attorney fees;
4. Costs of suit; and
5. For such further relief as the court may deem just and equitable.

FOR THE THIRD CAUSE OF ACTION:

1. Actual damages sustained by each plaintiff;
2. Statutory damages of no less than \$1,000 for each plaintiff;
3. Reasonable attorney fees;
4. Costs of suit; and
5. For such further relief as the court may deem just and equitable.

FOR THE FOURTH CAUSE OF ACTION:

1. Compensatory damages sustained by the plaintiff;
2. Punitive damages;
3. Reasonable attorney fees;
4. Costs of suit; and
5. For such further relief as the court may deem just and equitable.

**DEMAND FOR JURY TRIAL**

Plaintiffs hereby demands a jury trial as provided by Rule 38(a) of the Federal Rules of Civil Procedure.

Dated: January 27, 2014

LAW OFFICE OF LOUIS P. DELL

  
Louis P. Dell, Esq.  
Attorney for Plaintiff,  
MARIANA GOSCHIN

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

NOTICE OF ASSIGNMENT TO UNITED STATES JUDGES

This case has been assigned to District Judge S. James Otero and the assigned  
Magistrate Judge is Charles F. Eick.

The case number on all documents filed with the Court should read as follows:

CV14-640-SJO(Ex)

Pursuant to General Order 05-07 of the United States District Court for the Central District of California, the Magistrate Judge has been designated to hear discovery related motions.

All discovery related motions should be noticed on the calendar of the Magistrate Judge.

Clerk, U. S. District Court

January 28, 2014

Date

By C. Sawyer

Deputy Clerk

---

NOTICE TO COUNSEL

*A copy of this notice must be served with the summons and complaint on all defendants (if a removal action is filed, a copy of this notice must be served on all plaintiffs).*

**Subsequent documents must be filed at the following location:**

☒ Western Division  
312 N. Spring Street, G-8  
Los Angeles, CA 90012

☐ Southern Division  
411 West Fourth St., Ste 1053  
Santa Ana, CA 92701

☐ Eastern Division  
3470 Twelfth Street, Room 134  
Riverside, CA 92501

**Failure to file at the proper location will result in your documents being returned to you.**

## Name &amp; Address:

LOUIS P. DELL, ESQ. (SBN 164830)  
 LAW OFFICE OF LOUIS P. DELL  
 715 South Victory Blvd.  
 Burbank, CA 91501  
 818-478-2822

UNITED STATES DISTRICT COURT  
 CENTRAL DISTRICT OF CALIFORNIA

MARIANA GOSCHIN,

PLAINTIFF(S)

v.

GCFS, INC., dba Greater California Financial  
 Services,  
 and DOES 1 to 10, inclusive,

DEFENDANT(S).

CASE NUMBER

CV14-640 SJO (EX)

SUMMONS

TO: DEFENDANT(S): GCFS, INC., dba Greater California Financial Services,  
and DOES 1 to 10, inclusive,

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached ☒ complaint ☐ amended complaint ☐ counterclaim ☐ cross-claim or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, Louis P. Dell, whose address is The Dell Building, 715 South Victory Blvd., Burbank, CA 91502. If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Clerk, U.S. District Court

Dated: 1-28-14By: CHRIS SAWYER

Deputy Clerk

1149  
 (Seal of the Court)

[Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States. Allowed 60 days by Rule 12(a)(3)].

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA  
CIVIL COVER SHEET

<b>I (a) PLAINTIFFS</b> (Check box if you are representing yourself <input type="checkbox"/> ) MARIANA GOSCHIN	<b>DEFENDANTS</b> GCFS, INC., dba Greater California Financial Services
<b>(b) Attorneys</b> (Firm Name, Address and Telephone Number. If you are representing yourself, provide same.)  LOUIS P. DELL, ESQ. (SBN 164830), LAW OFFICE OF LOUIS P. DELL 715 South Victory Blvd. 818-478-2822 Burbank, CA 91502	Attorneys (If Known)

<b>II. BASIS OF JURISDICTION</b> (Place an X in one box only.)  <input type="checkbox"/> 1 U.S. Government Plaintiff <input checked="" type="checkbox"/> 3 Federal Question (U.S. Government Not a Party)  <input type="checkbox"/> 2 U.S. Government Defendant <input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)	<b>III. CITIZENSHIP OF PRINCIPAL PARTIES - For Diversity Cases Only</b> (Place an X in one box for plaintiff and one for defendant.) <table style="width:100%; border: none;"> <tr> <td style="width:40%;"></td> <td style="width:10%; text-align: center;"><b>PTF</b></td> <td style="width:10%; text-align: center;"><b>DEF</b></td> <td style="width:30%;"></td> <td style="width:10%; text-align: center;"><b>PTF</b></td> <td style="width:10%; text-align: center;"><b>DEF</b></td> </tr> <tr> <td>Citizen of This State</td> <td style="text-align: center;"><input type="checkbox"/> 1</td> <td style="text-align: center;"><input type="checkbox"/> 1</td> <td>Incorporated or Principal Place of Business in this State</td> <td style="text-align: center;"><input type="checkbox"/> 4</td> <td style="text-align: center;"><input type="checkbox"/> 4</td> </tr> <tr> <td>Citizen of Another State</td> <td style="text-align: center;"><input type="checkbox"/> 2</td> <td style="text-align: center;"><input type="checkbox"/> 2</td> <td>Incorporated and Principal Place of Business in Another State</td> <td style="text-align: center;"><input type="checkbox"/> 5</td> <td style="text-align: center;"><input type="checkbox"/> 5</td> </tr> <tr> <td>Citizen or Subject of a Foreign Country</td> <td style="text-align: center;"><input type="checkbox"/> 3</td> <td style="text-align: center;"><input type="checkbox"/> 3</td> <td>Foreign Nation</td> <td style="text-align: center;"><input type="checkbox"/> 6</td> <td style="text-align: center;"><input type="checkbox"/> 6</td> </tr> </table>		<b>PTF</b>	<b>DEF</b>		<b>PTF</b>	<b>DEF</b>	Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business in this State	<input type="checkbox"/> 4	<input type="checkbox"/> 4	Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5	Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6
	<b>PTF</b>	<b>DEF</b>		<b>PTF</b>	<b>DEF</b>																				
Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business in this State	<input type="checkbox"/> 4	<input type="checkbox"/> 4																				
Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5																				
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6																				

**IV. ORIGIN** (Place an X in one box only.)

☒ 1 Original Proceeding    
 ☐ 2 Removed from State Court    
 ☐ 3 Remanded from Appellate Court    
 ☐ 4 Reinstated or Reopened    
 ☐ 5 Transferred from another district (specify):    
 ☐ 6 Multi-District Litigation    
 ☐ 7 Appeal to District Judge from Magistrate Judge

**V. REQUESTED IN COMPLAINT:** JURY DEMAND: ☒ Yes   ☐ No (Check 'Yes' only if demanded in complaint.)

**CLASS ACTION** under F.R.C.P. 23: ☐ Yes   ☒ No     **MONEY DEMANDED IN COMPLAINT:** \$ To be Determined

**VI. CAUSE OF ACTION** (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.)

Fair Debt Collection Practices Act, 15 U.S.C. § 1692

**VII. NATURE OF SUIT** (Place an X in one box only.)

OTHER STATUTES	CONTRACT	TORTS	TORTS	PRISONER	LABOR
<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input checked="" type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Act <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Info. Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes	<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Fed. Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury-Med Malpractice <input type="checkbox"/> 365 Personal Injury-Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>IMMIGRATION</b> <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus-Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions	<b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability <b>BANKRUPTCY</b> <input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>CIVIL RIGHTS</b> <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 American with Disabilities - Employment <input type="checkbox"/> 446 American with Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	<b>PRISONER PETITIONS</b> <input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus/Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <b>FORFEITURE / PENALTY</b> <input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs <input type="checkbox"/> 660 Occupational Safety /Health <input type="checkbox"/> 690 Other	<input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark <b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS-Third Party 26 USC 7609

FOR OFFICE USE ONLY: Case Number:

AFTER COMPLETING THE FRONT SIDE OF FORM CV-71, COMPLETE THE INFORMATION REQUESTED BELOW.



UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA  
CIVIL COVER SHEETVIII(a). IDENTICAL CASES: Has this action been previously filed in this court and dismissed, remanded or closed? ☒ No ☐ Yes

If yes, list case number(s): \_\_\_\_\_

VIII(b). RELATED CASES: Have any cases been previously filed in this court that are related to the present case? ☒ No ☐ Yes

If yes, list case number(s): \_\_\_\_\_

## Civil cases are deemed related if a previously filed case and the present case:

- (Check all boxes that apply) ☐ A. Arise from the same or closely related transactions, happenings, or events; or  
☐ B. Call for determination of the same or substantially related or similar questions of law and fact; or  
☐ C. For other reasons would entail substantial duplication of labor if heard by different judges; or  
☐ D. Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present.

## IX. VENUE: (When completing the following information, use an additional sheet if necessary.)

(a) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which EACH named plaintiff resides.

☐ Check here if the government, its agencies or employees is a named plaintiff. If this box is checked, go to item (b).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Los Angeles	

(b) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which EACH named defendant resides.

☐ Check here if the government, its agencies or employees is a named defendant. If this box is checked, go to item (c).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Los Angeles	

(c) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which EACH claim arose.

**Note: In land condemnation cases, use the location of the tract of land involved.**

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Los Angeles	

\* Los Angeles, Orange, San Bernardino, Riverside, Ventura, Santa Barbara, or San Luis Obispo Counties

**Note: In land condemnation cases, use the location of the tract of land involved.**

X. SIGNATURE OF ATTORNEY (OR PRO PER): \_\_\_\_\_ Date January 27, 2014

**Notice to Counsel/Parties:** The CV-71 (JS-44) Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet.)

## Key to Statistical codes relating to Social Security Cases:

Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969, (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405(g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405(g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. (g))